

Lesson 5

Structure of Government within the EU

Lesson Focus Question

How does the structure of government within the EU compare to the structure of government in the United States?

Introduction

In this lesson, students will compare and contrast the Council of the European Union, the European Parliament, the European Commission, and the European Court of Justice to the Executive, Legislative, and Judicial branches of government in the United States

What's the Big Idea?

- ☑ The European Union is more than just a confederation of countries, but it is not a federal state. It is, in fact, a new type of structure that does not fall into any traditional legal category. Its political system is historically unique and has been constantly evolving over more than 50 years.
- ☑ [The Council of the European Union](#) (also known as the Council of Ministers) represents the interests of the Member States and is one of the main decision-making bodies.
- ☑ [The European Council](#): the leaders of the Member States, for example: Presidents, Prime Ministers, Chancellors, etc., provide the main political impetus for the EU.
- ☑ [The European Parliament](#) is increasingly important as a decision-making body and its members are directly elected by the EU's citizens.
- ☑ [The European Commission](#) proposes legislation and manages the business of the European Union.
- ☑ [The European Court of Justice](#) is made up of one judge from each EU country, assisted by eight advocates-general. The Court's role is to ensure compliance with EU law, and the correct interpretation and application of the Treaties.

NCSS Themes Addressed

II – Time, Continuity, and Change
III – People, Places, and Environments
IV – Individual Development & Identity
V – Individuals, Groups, and Institutions
VI – Power, Authority, & Governance
X – Civic Ideals and Practices

Knowledge

The student will know

- the EU government is similar to the federal government of the United States in some areas and very unique in others.
- the main decision-making bodies of the EU are the Council of the European Union and the European Parliament.
- The European Council provides the main political impetus for the EU
- EU citizens are represented by the

Core Skills

The student will be able to

- read for information.
- compare and contrast information.
- classify information.

<p>European Parliament as well as their national legislatures.</p> <ul style="list-style-type: none"> ▪ the European Commission proposes legislation and manages the business of the EU. ▪ the European Court of Justice monitors compliance with EU laws. 	
<p>Materials Needed</p> <ul style="list-style-type: none"> ▪ Handout 1, <i>Government Structure of the United States</i> ▪ Handout 2, <i>How is the EU Run?</i>(Excerpted from EU Guide for Americans) ▪ Handout 3, <i>Government Structure of the EU</i> ▪ Handout 4, <i>Where Do I Belong?</i> ▪ Insight: Issue 35, October 2009 <i>Treaty of Lisbon Clears the Way</i> ▪ PowerPoint for Lesson 5 	
<p>Time Needed to Complete this Lesson One 55 minute class period</p>	
<p>Procedures</p> <p>Activity 1 – Structure of Government</p> <ol style="list-style-type: none"> 1. Write the phrase “The European Union” on the whiteboard (or display) at the front of the classroom. Ask students to explain why it is not the same as “The United States of Europe”. <i>Answers will vary.</i> 2. Tell students that they will be focusing on the governance structure of the European Union and the United States in order to compare and contrast how each is governed. 3. Give each student a copy of Handout 1, <i>Government Structure of the United States</i>. Review each point with students, allowing time for any questions that may arise. 4. Give each student a copy of Handout 2, <i>How is the EU Run?</i> along with Handout 3, <i>Government Structure of the EU</i> and ask the students to answer all questions on Handout 3 based on the reading in Handout 2. Review each of the main points with students, allowing time for any questions that may arise. 5. Ask students to compare the governing bodies of the EU to the governing bodies of the United States. Which government entities play similar roles? <i>The Council of the European Union is similar to the United States Senate (both legislate), the European Commission is comparable to the Executive Branch of the U.S. Government, the European Parliament is similar to the U.S. House of Representatives, and the Court of Justice is similar to the U.S. Supreme Court. Each of the EU institutions has its own President or Head. The European Council is a political body comprised of the Heads of State and Government with no direct comparison in the U.S.</i> 	

Activity 2 – Who am I?

6. List the following on the whiteboard, projector or display for the students: President of the United States, Member of the U.S. Congress, Member of the U.S. Supreme Court, Member of the European Commission, Member of the Council of the European Union, Member of the European Council, Member of the European Parliament, Member of the European Court of Justice.
7. Tell students that eight volunteers will now read one “Where Do I Belong” scenario. Ask for eight volunteers and hand each student volunteer one scenario from Handout 4, *Where Do I Belong?*
8. Ask each volunteer to take a turn reading his or her scenario to the class. At the end of each scenario ask who the person is and where that person works. Answers must be one of the eight offices or governing bodies listed on the board.
9. Review the main roles and responsibilities of the [Council of the European Union](#), [the European Parliament](#), [the European Commission](#) and the [European Court of Justice](#).
10. Show the comparison between the three branches of government in the United States and the [Council of the European Union](#), [the European Parliament](#), [the European Commission](#) and the [European Court of Justice](#).

Web Support

For more information related to this lesson, visit these websites:

- European Commission- <http://ec.europa.eu/>
- European Parliament- <http://www.europarl.europa.eu/>
- Council of the European Union- <http://www.consilium.europa.eu/>
- European Council- <http://www.european-council.europa.eu/>
- European Court of Justice- http://curia.europa.eu/jcms/jcms/Jo2_7024/

Assessment

1. Judges on the European Court of Justice serve
 - A. two year terms.
 - B. six year terms.*
 - C. twelve year terms.
 - D. life terms.
2. The role of proposing legislation to Parliament and the Council is performed by
 - A. The European Council
 - B. The European Parliament
 - C. The European Commission*
 - D. The Council of the European Union

3. Which governing body is responsible for coordinating the broad economic policies of the Member States?
 - A. The European Council
 - B. The European Parliament
 - C. The European Commission
 - D. The Council of the European Union*

Government Structure of the United States



The Executive Branch

Function: The power of the Executive Branch is vested in the President of the United States, who also acts as head of state and Commander-in-Chief of the armed forces. The President is responsible for implementing and enforcing the laws written by Congress and, to that end, appoints the heads of the federal agencies, including the Cabinet.

The Cabinet and independent federal agencies are responsible for the day-to-day enforcement and administration of federal laws. These departments and agencies have missions and responsibilities as widely divergent as those of the Department of Defense and the Environmental Protection Agency, the Social Security Administration and the Securities and Exchange Commission.

Term: Two four-year terms possible



The Legislative Branch

Function: Established by Article I of the Constitution, the Legislative Branch consists of the House of Representatives and the Senate, which together form the United States Congress. The Constitution grants Congress the sole authority to enact legislation and declare war, the right to confirm or reject many Presidential appointments, and gives it substantial investigative powers.

The House of Representatives is made up of 435 elected members, divided among the 50 states in proportion to their total population. In addition, there are 6 non-voting members, representing the District of Columbia, the Commonwealth of Puerto Rico, and five territories of the United States. The Senate is composed of 100 Senators, two for each state.

Term: House of Representatives- two years, Senate- six years



The Judicial Branch

Function: The Judiciary explains and applies the laws. This branch does this by hearing and eventually making decisions on various legal cases.

The Judicial Branch is in charge of the court system . There are three different kinds of courts found in the federal court system. The lowest level is the district courts. The second level is the court of appeals. The top level is the Supreme Court.

Term: Nine Supreme Court justices serve for life

The European Commission

The European Commission (EC) is the European Union's executive branch and has the sole right of legislative initiative, except where the Treaties provide otherwise. It is independent of national governments and represents the European (as opposed to individual Member State) perspective. The Commission comprises 27 appointed Commissioners—one from each EU country—each of whom is responsible for specific policy areas. More than 24,000 civil servants work at the Commission, primarily in Brussels.

The Commission ensures that the provisions of the EU treaties are applied correctly and represents the EU internationally, negotiating with non-EU countries in areas falling within its jurisdiction. The Commission also fulfills an administrative role.

The present Commission's term runs through October 31, 2014. The President of the European Commission is José Manuel Barroso of Portugal.

The European Commission has four main roles:

- 1. Proposing legislation to Parliament and the Council.**

Proposed legislation must defend the interests of the Union and its citizens, not those of specific countries or industries. The Commission also seeks the opinions of national parliaments and governments. To get the technical details right, the Commission consults experts through its various committees and groups.

- 2. Managing and implementing EU policies and the budget.**

The Commission is responsible for administering and supervising expenditures under the oversight of the Court of Auditors. Most of the actual spending is done by national and local authorities.

- 3. Enforcing European law (jointly with the Court of Justice).**

The Commission acts as guardian of the Treaties and can take legal action and refer cases to the European Court of Justice against persons, companies, or Member States that violate EU rules.

- 4. Representing the EU internationally on certain key issues.**

The Commission represents the EU on specific external policy issues, such as trade and the implementation of development assistance. It also negotiates agreements between the EU and other countries in areas falling within its jurisdiction (e.g. World Trade Organization negotiations). Both Commission and External Action Service officials are present throughout the EU's global network of more than 130 external delegations.

The Council of the European Union

The Council is one of the EU's main decision-making bodies and represents the Member States. One minister from each of the EU's national governments attends Council meetings. Different ministers are assigned to specific issue areas (e.g., agricultural ministers decide farm policy). Each minister in the Council is empowered to commit his or her government—the minister's signature represents the assent of the whole government.

The Presidency of the Council, with the exception of the Foreign Affairs configuration, is held by a pre-established group of three Member States for an 18 month period—with each of the three countries acting as chair for one six month rotation.

The Treaty of Lisbon formalized this cooperation between successive presidencies—a "team presidency"—which is guided by a common program for the 18-month period drawn up by all three Member States. Each EU country in turn takes charge of the Council agenda and chairs all the meetings for its six-month period, promoting legislative and political decisions and brokering compromises among the Member States.

The Council of the European Union has six key responsibilities:

1. Adopting European laws—jointly with the European Parliament in most policy areas.
2. Coordinating the broad economic policies of the Member States.
3. Concluding international agreements between the EU and other countries or international organizations.
4. Approving the EU's budget, jointly with the European Parliament.
5. Playing a key role in the development of the EU's Common Foreign and Security Policy (CFSP), based on guidelines set by the European Council.
6. Coordinating cooperation between the national courts and police forces in criminal matters (see the freedom, security, and justice section).

The European Council

The European Council, comprising the presidents or prime ministers of the Member States, together with the Presidents of the European Commission and the European Council, operates at a political level and does not legislate. European Council summits, which take place several times a year, set overall EU policy and resolve issues that could not be settled at the ministerial level (e.g., by the ministers at the Council of the EU meetings). The High Representative for Foreign Affairs and Security Policy/Commission Vice-President also participates in the European Council's work.

Under the Treaty of Lisbon the European Council became an official EU institution, and a new position was created—permanent president of the European Council—a 2 ½ year renewable term.

Herman Van Rompuy, the first permanent president of the European Council, chairs the European Council and drives forward its work; ensures the preparation and continuity of the Council's work; facilitates cohesion and consensus within the Council; and reports to the European Parliament following each European Council meeting. The President of the European Council also represents the EU abroad on foreign and security matters at the equivalent level.

The European Parliament

Since 1979, the European Parliament (EP) has been directly elected by the EU's citizens, with each member serving a five-year term.

The present Parliament, elected in June 2009, has 736 members representing all 27 EU countries, a total due to rise to 751 by 2014 under the Treaty of Lisbon. The treaty sets the number of members per country according to a population-based proportional system, with no Member State having fewer than six representatives, nor more than 96. Nearly one-third of Parliament's members are women. Parliament elects a president who serves a 2 ½ year renewable term. In 2009, Jerzy Buzek of Poland was elected President of the European Parliament.

Parliament has three main roles:

1. Passing European laws jointly with the Council in most policy areas. All international treaties with the EU require the consent of the European Parliament.

2. Exercising democratic supervision over the other EU institutions, in particular the Commission. Parliament has the power to approve or reject the nomination of commissioners, and it has the right to censure the Commission as a whole.
3. Full parity with the Council in the approval of the whole EU budget and of the legally-binding multi-annual financial programming.

The European Court of Justice

The European Court of Justice (ECJ) of the European Union was set up under the ECSC Treaty in 1952. Based in Luxembourg, it acts as the European Union's Supreme Court. The ECJ ensures that EU legislation is interpreted and applied uniformly in all EU countries. The Court has the power to settle legal disputes between EU Member States, EU institutions, businesses, and individuals. Its rulings are binding. The Court is composed of one judge per Member State, appointed by joint agreement between the governments of the EU Member States for a renewable term of six years. For the sake of efficiency, however, the Court usually sits as a Grand Chamber of just 13 judges, or in chambers of three or five judges.

The Court is assisted by eight advocates-general who present reasoned opinions on the cases brought before the Court, publicly and impartially.

To help the Court of Justice cope with a large caseload and to afford citizens better legal protection, the General Court was created in 1988. This court (which is attached to the Court of Justice) is responsible for certain kinds of cases, particularly actions brought by private individuals, companies, and some organizations, as well as cases relating to competition law.

A third judicial body, the European Civil Service Tribunal (also attached to the ECJ), was set up in 2004 to adjudicate disputes between the European Union and its civil service. This tribunal is composed of seven judges.

The Court of Justice, the General Court, and the Civil Service Tribunal each have a president chosen by their fellow judges to serve for a three-year renewable term. Vassilios Skouris was elected President of the Court of Justice in 2003.

Government Structure of the EU

Directions: Use the *How is the EU Run?* handout as a source to find the answers to all questions listed below.

The European Commission

Headed by:

Function (4 Main Roles):

Comprised of:

Term:

The Council of the European Union

Headed by:

Function (6 key responsibilities):

Comprised of:

Government Structure of the EU

The European Council

Headed by:

Function:

Comprised of:

European Parliament

Headed by:

Function (Three main roles):

Comprised of:

Term:

The European Court of Justice

Headed by:

Function:

Comprised of:

Term:

Government Structure of the EU

Directions: Use the *How is the EU Run?* reading as a source to find the answers to all questions listed below.

The European Commission – headed by President José Manuel Barroso

Function (4 Main Roles):

1. *Proposing legislation to parliament and the council.*
2. *Managing and implementing EU policies and the budget.*
3. *Enforcing European law (jointly with the Court of Justice).*
4. *Representing the EU internationally on certain key issues.*

Comprised of: *27 appointed Commissioners, one from each EU country*

Term: *Five years*

The Council of the European Union – The Council is presided over for a period of six months by each Member State in turn, in accordance with a pre-established rotation.

Function (6 key responsibilities): *One of the main decision making bodies of the EU. Represents the Member States of the European Union.*

1. *Adopting European laws.*
2. *Coordinating broad economic policies of Member States.*
3. *Concluding international agreements between EU and other countries and/or international organizations.*
4. *Approving the EU's budget, along with the European Parliament.*
5. *Playing a key role in developing the EU's Common Foreign and Security Policy, based on guidelines set by the European Council.*
6. *Coordinating cooperation between the national courts and police forces in criminal matters.*

Comprised of: *One minister from each of the EU's national governments attends Council meetings. Different ministers are assigned to specific issue areas (e.g., agricultural ministers decide farm policy).*

Government Structure of the EU

The European Council – headed by President Herman Van Rompuy

Function:

Set overall EU policy, resolve issues that could not be settled by the ministers at Council of the EU meetings.

Comprised of: *The presidents and/or prime ministers of the Member States.*

The European Parliament – headed by President Jerzy Buzek

Function (Three main roles):

- 1. Passing European laws, jointly with the Council.*
- 2. Exercising democratic supervision over other EU institutions.*
- 3. Adopting or rejecting the EU budget, jointly with the Council.*

Comprised of:

The present Parliament, elected in June 2009, has 736 members representing all 27 EU countries, a total due to rise to 751 by 2014 under the Treaty of Lisbon.

Term: *Five years*

The European Court of Justice – headed by President Vassilios Skouris

Function:

Ensures that EU legislation is interpreted and applied uniformly in all EU countries. Settles legal disputes between EU Member States, EU institutions, businesses and individuals.

Comprised of: *The Court is composed of one judge per Member State, appointed by joint agreement between the governments of the EU Member States for a renewable term of six years. For the sake of efficiency, however, the Court usually sits as a Grand Chamber of just 13 judges, or in chambers of three or five judges.*

Term: *Six year renewable terms*

Where Do I Belong?

Scenario #1

Hello class, I am a head of state who meets with fellow heads of state four times each year. Together we set overall EU policy and resolve other issues. I am a member of...?

(The European Council)

Scenario #2

Hello class, I am currently serving my first two-year term. Along with 434 members, we write the laws of the land and we also have the power to declare war. I am a member of...?

(The U.S. Congress)

Scenario #3

Hello class, I am currently serving my first six-year term. Along with 26 others, I settle legal disputes and ensure all laws are being interpreted and applied uniformly. I am a member of...?

(European Court of Justice)

Scenario #4

Hello class, I was directly elected by the citizens of my country. Along with 753 others, we share with another institution the power to adopt or reject the EU budget, the power to pass laws and the ability to exercise democratic supervision over certain institutions. I am a member of...?

(The European Parliament)

Scenario #5

Hello class, I am responsible for implementing and enforcing the laws written by Congress and, to that end, appoint the heads of the federal agencies, including the Cabinet. I am ...?

(President of the United States)

Where Do I Belong?

Scenario #6

Hello class, our job is to represent the common European interest to all the EU countries. We also have the role of 'guardian of the treaties' and defender of the general interest and we have the right of initiative in the lawmaking process, which means we propose legislative acts for the European Parliament and the Council of Ministers to adopt. I am ...?

(The European Commission)

Scenario #7

Hello class, as part of this very important governing body, I am given the tasks of Adopting European laws, coordinating broad economic policies, and concluding international agreements. I am a member of...?

(The Council of the European Union)

Scenario #8

Hello class, I am a member of a very exclusive group. Working with eight other individuals, we explain and apply the laws of the land. Some of us have been doing this for a long time, as we all have lifetime appointments. I am a member of...?

(U.S. Supreme Court)